

Appln. No.: 09/626,954
Amdt. Dated August 21, 2003
Reply to Office Action dated June 4, 2003

Remarks/Arguments

1. Status of Claims

Claims 1-26 and 28-44 are pending in this application.

In the Office Action mailed June 4, 2003, claims 1-26 and 28-44 were rejected in view of references asserted under 35 USC §103. Independent claims 4 and 15 have been amended. Claim 4 has been amended to make it consistent with independent claims 1, 9, 15, and 19, and now claims that the postage indicium information is generated using the registration ID number and data relating to the delivery address. Also included in the amendment of claims 4 and 15 is a correction to a typographical error, where the word "replay" now has been changed to the word "reply" to accurately describe Applicant's invention. Applicant respectfully requests that the amendments to the claims be entered.

2. Rejection under 35 USC §103(a)

In section 3 of the Office Action, the Examiner rejected claims 1-3, 4, 9, 15-16, 19-20, 22, 28, 30, 34, 39, and 42 under 35 USC §103(a) as allegedly rendered obvious by U.S. Patent No. 6,428,219 to Stier et al ("Stier '219") in view of U.S. Patent No. 6,526,393 to Fredman ("Fredman '393").

Applicant respectfully traverses the rejection. Applicant submits that the references are not properly combined, and that the combination does not render the invention as presently claimed obvious. Further, the Examiner is improperly using hindsight and using the current claims as a roadmap to argue that the Applicant's claimed invention is obvious.

Appin. No.: 09/626,954
Amdt. Dated August 21, 2003
Reply to Office Action dated June 4, 2003

The present invention is directed to a method of operating a postage metering system for printing postage indicia information on a business reply mail piece. This is particularly beneficial because it enables business reply mail users to comply with United States Postal Regulations requiring that a delivery address and corresponding postage indicium be printed together when printing postage from a computer-based postage metering system. In accordance with one aspect of this invention, the method of operating this system includes the steps of having a mail campaign sender transmit a registration ID number to a data center; the registration ID number being associated with a particular delivery address; generating and receiving postage indicium from the data center where the postage indicium information has been generated using the registration ID number and data relating to the delivery address; and printing the postage indicium information on an associated business reply mail piece for delivery to its intended designation.

There is absolutely no suggestion in Stier '219 of applying postage indicium to a business reply mail piece where the postage indicium is generated using a registration ID number and data relating to the delivery address. Stier '219, in contrast, is directed to a system using special purpose label arrangements for use in printing PC postage onto business courtesy envelopes. The special purpose label arrangements of Stier '219 are designed for use with mail pieces having facing identification marks (FIM's) such that the design of the label placed on the envelope or postage indicia printed directly on the envelope does not encroach upon the area reserved for FIM markings.

The Office Action contends that the system in Stier '219 teaches a method of operating a data center for generating postage indicium information for use with printing

Appln. No.: 09/626,954
Amdt. Dated August 21, 2003
Reply to Office Action dated June 4, 2003

postage indicium on a business reply mail piece, where the postage metering system receives postage indicium information from the data center. Applicant respectfully disagrees. It should first be noted that nowhere in Stier '219 is there a disclosure, teaching or suggestion of having a data center transmit postage indicium information that is based on a registration ID number or a delivery address to a postage metering system. Stier '219 describes a user contacting a third party central server (meter vendor server) location to download postage value (i.e., replenish funds in its register). (Column 1, lines 40-45). There is absolutely no suggestion that the user in Stier '219 is downloading postal indicium information that is associated with a registration ID number and a delivery address to be applied to an associated business reply mail piece, the same mail piece that was used to generate the registration ID number. Furthermore, there is no disclosure, teaching or suggestion in Stier '219 of transmitting the registration ID number to a data center, having the data center generate postage indicium information using the registration ID number and transmitting the information to a postage metering system, and the postage metering system printing that postage indicium information on an associated piece of business reply mail.

The Examiner's reference to Fredman '393 does not cure the deficiencies of Stier '219. The Office Action contends that Fredman '393 teaches a method of mailing or shipping goods using a registration ID number, where the generated registration ID number corresponds to the delivery address of the customer, and the registration ID number is used by the shipper to print postal indicium. Applicant respectfully disagrees with the Examiner's characterization of the teachings of Fredman '393. In characterizing Fredman '393, the Examiner only refers generally to Figures in Fredman

Appln. No.: 09/626,954
Amdt. Dated August 21, 2003
Reply to Office Action dated June 4, 2003

'393 and makes conclusory statements concerning its teachings and disclosures without pointing to specific elements of the Figures or Specification. Applicant submits that the Examiner has misconstrued the teachings of Fredman '393 and that none of the elements identified by the Examiner are supported by the Specification.

Fredman '393, to the contrary, is directed to a time controlled pre-paid delivery system where date sensitive postage is already pre-printed on the envelope by the issuer. The recipient does not need to take any steps to obtain postal indicium from a data center. Further, nowhere in Fredman '393 is there a suggestion or teaching that a registration ID number is generated which corresponds to a delivery address; the registration number is transmitted to a data center; postage indicium is generated that is associated with this registration ID number and a delivery address; the postage indicium is transmitted to a postage metering system; and then the postage indicium information is printed on the associated business reply mail piece. If the Examiner is still of the opinion that Fredman '393 does provide these teachings and overcomes the deficiencies of Stier '219, Applicant respectfully requests that the Examiner point out with some specificity the portions of the Figures and Specification that allegedly support those conclusions.

Applicant respectfully submits that these cited references do not render the invention as presently claimed obvious and are not properly combined. Accordingly, Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness.

Appln. No.: 09/626,954
Amdt. Dated August 21, 2003
Reply to Office Action dated June 4, 2003

Applicant respectfully submits that the invention as claimed is patentable over the Stier '219 and Fredman '393 references. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

In section 4 of the Office Action, the Examiner rejected claims 8, 14, 17-18, 21, 23-26, 33, 35-38, 41 and 43-44 under 35 USC §103(a) as allegedly being rendered obvious by Stier '219 and Fredman '393 as applied to claims 1, 3, 4, 9, 15, 16 and 22, and further in view of U.S. Patent No. 6,121,565 to Allott, III ("Allott '565").

Applicant respectfully traverses the rejection for at least the reasons stated above with regard to Stier '219 and Fredman '393 in responding to section 3 of the Office Action. Claims 21, 23 and 24 depend directly and indirectly upon Claim 1 and are patentable along with Claim 1 over the cited references for at least the reasons stated above and on their own merits. Claims 8, 25, 26, and 41 depend directly and indirectly upon Claim 4 and are patentable along with Claim 4 over the cited references for at least the reasons stated above and on their own merits. Claims 14, 33, 43 and 44 depend directly and indirectly upon Claim 9 and are patentable along with Claim 9 over the cited references for at least the reasons stated above and on their own merits. Claims 17, 18, and 35-38 depend directly and indirectly upon Claim 15 and are patentable along with Claim 15 over the cited references for at least the reasons stated above and on their own merits.

Furthermore, the Examiner's reliance on Allott '565 does not cure the deficiencies of Stier '219 and Fredman '393. There is absolutely no suggestion in Allott '565 for a customer to contact a data center to obtain postal indicia information. The postal indicia in Allott '565 is already pre-printed on the envelope, the customer does

Appln. No.: 09/826,954
Amdt. Dated August 21, 2003
Reply to Office Action dated June 4, 2003

not contact a data center to obtain postage indicium information. Further, there is absolutely no teaching or suggestion in Allott '565 of at least associating a registration ID number with a previously defined delivery address; transmitting the registration ID number to a data center; generating the postal indicia information using the registration ID number; transmitting the postage indicium information to a postage metering system; and the printing the postage indicium information on an associated business reply mail piece.

Accordingly, Applicant submits that for at least the reasons stated above, the cited references do not alone or in proper combination render obvious the invention as presently claimed in claims 8, 14, 17-18, 21, 23-26, 33, 35-38, 41, and 43-44. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

In section 5 of the Office Action, the Examiner rejected claims 5-6, 10-12, 29, 31 and 40 under 35 USC §103(a) as allegedly being rendered obvious by Stier '219 and Fredman '393 as applied to claims 4 and 9, and further in view of U.S. Patent No. 6,282,524 to Kramer ("Kramer '524").

Applicant respectfully traverses the rejection for at least the reasons stated above with regard to Stier '219 and Fredman '393 in responding to section 3 of the Office Action. Claims 5, 6, 29, 31 and 40 depend directly and indirectly upon Claim 4 and are patentable along with Claim 4 over the cited references for at least the reasons stated above in response to section 3 and on their own merits. Claims 10-12 depend directly and indirectly upon Claim 9 and are patentable along with Claim 9 over the cited references for at least the reasons stated above in response to section 3 and on their own merits.

Appln. No.: 09/626,954
Amdt. Dated August 21, 2003
Reply to Office Action dated June 4, 2003

Furthermore, there is no teaching or suggestion in Kramer '524 of using address hygiene in a postage metering system where a registration ID number is associated with a previously defined address; the registration ID number is transmitted to a data center; the postal indicia information is generated using the registration ID number and delivery address information and transmitted to a postage metering system.

Accordingly, Applicant submits that for at least the reasons stated above, the cited references do not alone or in proper combination render obvious the invention as presently claimed in claims 5-6, 10-12, 29, 31, and 40. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

In section 6 of the Office Action, the Examiner rejected claims 7, 13 and 32 under 35 USC §103(a) as allegedly being rendered obvious by Stier '219, Fredman '393, and Kramer '524 as applied to claims 6 and 12, and further in view of Allott '565.

Applicant respectfully traverses the rejection for at least the reasons stated above with regard to Stier '219, Fredman '393, Kramer '524, and Allott '565. Claim 7 depends indirectly upon Claim 4 and is patentable along with Claim 4 over the cited references for at least the reasons stated above and on its own merits. Claims 13 and 32 depend directly and indirectly upon Claim 9 and are patentable along with Claim 9 over the cited references for at least the reasons stated above and on their own merits.

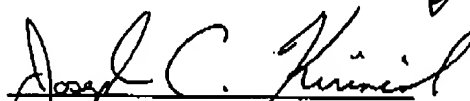
Accordingly, Applicant submits that for at least the reasons stated above, the cited references do not alone or in proper combination render obvious the invention as presently claimed in claims 7, 13 and 32. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

3. Conclusion:

Appln. No.: 09/626,954
Amdt. Dated August 21, 2003
Reply to Office Action dated June 4, 2003

In view of the foregoing amendments and remarks, it is respectfully submitted that the claims of this application are in condition for allowance, and favorable action thereon is requested. Applicant notes that the Examiner has deferred Applicant's request for an Interview concerning this Office Action. If the Examiner finds reason not to allow all claims, then Applicant again respectfully requests a telephone interview with the Attorney signed below.

Respectfully submitted,



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